

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-50012
Summary Calendar

MICHAEL PUMMILL,

Plaintiff-Appellant,

versus

TEXAS, NEW MEXICO & OKLAHOMA COACHES, INC.,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Texas
(EP-99-CV-182-F)

June 6, 2000

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:*

In contesting the FED. R. CIV. P. 12(b)(6) dismissal of his action against his employer for breach of a collective bargaining agreement, Michael Pummill asks only that we reverse Supreme Court precedent holding that the applicable statute of limitations is six months. See *DelCostello v. International Bhd. of Teamsters*, 462 U.S. 151, 169 (1983). But, as Pummill concedes, we cannot do so. No authority need to be cited for the rule that such precedent is binding on this court.

*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

For the reasons stated by the district court, ***Pummill v. Texas, New Mexico & Oklahoma Coaches, Inc.***, No. EP:99-CA-0182-F, slip op. at 2-5 (W.D. Tex. 1 Dec. 1999), the judgment is

AFFIRMED.